

Scottish Borders Council

Regulatory Services – Consultation reply

Planning Ref	18/00723/FUL
Uniform Ref	18/01563/PLANCO
Proposal	Change of use to joiners workshop and showroom; caravan repairs and sales; car valet; retail; and siting of catering unit (retrospective)
Address	Bruce Motors Redburn Garage Peebles Road Galashiels Scottish Borders
Date	12th June 2018
Amenity and Pollution Officer	Forbes Shepherd
Contaminated Land Officer	Gareth Stewart

Amenity and Pollution

Assessment of Application

Noise
Odour
Food premises

Conditions

No development shall commence until a scheme for ventilation and odour control has been submitted to and approved in writing by the Planning Authority, and the use of the premises for catering purposes shall not commence until the provisions of the approved scheme have been implemented. Thereafter, the ventilation and odour control equipment so required shall be maintained in accordance with the approved scheme throughout the duration of the consented use.

Reason: To ensure that the proposed ventilation/extraction system is of a specification that protects neighbouring amenity and is capable of being implemented and maintained during the period of the consented use.

Informative

Ventilation and Odour Control

In order to discharge this condition the applicant will need to provide information as specified in DEFRA Guide: *Guidance on the Control of Odour and Noise from Commercial Kitchen Exhaust Systems*, January 2005 schedule B. If you have any questions in relation to this please contact an Environmental Health Officer.

Flue Height

1. The discharge stack shall discharge the extracted air not less than 1 metre above the roof ridge, or at chimney height, of any building within 20 metres of the building housing the commercial kitchen.

2. If 1 cannot be complied with (e.g. due to ownership or structural constraints), then the extracted air shall be discharged not less than 1 metre above the roof eaves or any skylight/dormer windows of the building housing the commercial kitchen. If this is the case, then additional odour control measures may be required.
3. If 1 or 2 cannot be complied with, then a high level of odour control will be required.

The stack should also be positioned as far as possible from the nearest residential accommodation, and a stack discharging into a semi-enclosed area, such as a courtyard or the area between back additions, should always try to be avoided.

Food Premises Registration

The premises will need to be registered with the Council before commencing operations. In order to ensure that the layout of the premises complies with the registration requirements the applicant should contact an Environmental Health Officer as the earliest stage possible. This can be done by calling 0300 100 1800 or emailing PLACEhealth@scotborders.gov.uk

Noise

Any noise emitted by plant and machinery used in connection with the Development will not exceed Noise Rating Curve NR20 between the hours of 2300 – 0700 and NR 30 at all other times when measured within the nearest noise sensitive dwelling (windows can be open for ventilation). The noise emanating from any plant and machinery used on the premises should not contain any discernable tonal component. Tonality shall be determined with reference to BS 7445-2

Reason To protect the residential amenity of nearby occupiers.

Recommendation

Agree with application in principle, subject to conditions
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Contaminated land

Assessment of Application

The above application appears to be proposing the change of use of land which was previously operated as a filling station and vehicle repair garage. This land use is potentially contaminative and it is the responsibility of the developer to demonstrate that the land is suitable for the use they propose.

It is recommended that planning permission should be granted on condition that development is not be permitted to start until a site investigation and risk assessment has been carried out, submitted and agreed upon by the Planning Authority.

Any requirement arising from this assessment for a remediation strategy and verification plan would become a condition of the planning consent, again to be submitted and agreed upon by the Planning Authority prior to development commencing.

The attached standard condition may be helpful in this respect

Recommendation

Delete as appropriate – Agree with application in principle, subject to conditions /Further Information Required Before Application is Determined / Information to be Provided Before Work Commences (see conditions) / No Comment / Object /Informative Note

Conditions

Unless otherwise agreed in writing and in advance by the Planning Authority, prior to any development commencing on site, a scheme will be submitted by the Developer (at their expense) to identify and assess potential contamination on site. **No construction work shall commence until the scheme has been submitted to, and approved, by the Council, and is thereafter implemented in accordance with the scheme so approved.**

The scheme shall be undertaken by a competent person or persons in accordance with the advice of relevant authoritative guidance including PAN 33 (2000) and BS10175:2011 or, in the event of these being superseded or supplemented, the most up-to-date version(s) of any subsequent revision(s) of, and/or supplement(s) to, these documents. This scheme should contain details of proposals to investigate and remediate potential contamination and must include:-

- a) A desk study and development of a conceptual site model including (where necessary) a detailed site investigation strategy. The desk study and the scope and method of recommended further investigations shall be agreed with the Council **prior to** addressing parts b, c, d, and, e of this condition.

and thereafter

- b) Where required by the desk study, undertaking a detailed investigation of the nature and extent of contamination on site, and assessment of risk such contamination presents.
- c) Remedial Strategy (if required) to treat/remove contamination to ensure that the site is fit for its proposed use (this shall include a method statement, programme of works, and proposed validation plan).
- d) Submission of a Validation Report (should remedial action be required) by the developer which will validate and verify the completion of works to a satisfaction of the Council.
- e) Submission, if necessary, of monitoring statements at periods to be agreed with the Council for such time period as is considered appropriate by the Council.

Written confirmation from the Council, that the scheme has been implemented completed and (if appropriate), monitoring measures are satisfactorily in place, **shall be required by the Developer before any development hereby approved commences**. Where remedial measures are required as part of the development construction detail, commencement must be agreed in writing with the Council.

Reason: To ensure that the potential risks to human health, the water environment, property, and, ecological systems arising from any identified land contamination have been adequately addressed.

CONSULTATION RESPONSE TO PLANNING OR RELATED APPLICATION

Comments provided by	Roads Planning Service		Contact e-mail/number
Officer Name and Post	Alan Scott Senior Roads Planning Officer		ascott@scotborders.gov.uk 01835 826640
Date of reply	17 th July 2018		
Planning Application Reference	18/00723/FUL	Case Officer: Carlos Clarke	
Proposed Development	Change of use from car sales		
Site Location	Former Bruce Motors, Peebles Road, Galashiels		
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>			
Background and Site description	This site has previously been used as a garage and as a car sales/servicing centre without any significant traffic issues having been recorded.		
Key Issues (Bullet points)	There are concerns regarding the parking for the various proposed uses and the risk of vehicles stacking out on to the A72, especially related to the car valet option. A meeting with the applicant to discuss the proposal would be advantageous from a roads perspective.		
Assessment	<p>Whilst I have no major concerns regarding the principle of a proposed change of use, I do have some concerns regarding the access into the site and the internal arrangement of the users. My main concern is the likelihood of a build-up of vehicle internally which will result in vehicles stacking out on to the adjacent A72. This is of particular concern at the easterly access where the car valet part appears to be immediately within the access, not allowing for any vehicles to stack within the site. This would be exacerbated if the car sales area was full and the catering unit had any vehicles stopped outside it. We have experienced similar issues with the car wash on the A7, operated by the same applicant, where they have had to make alternative access arrangements to try and address the matter.</p> <p>The situation is made worse by the number of different uses that are proposed. To accommodate all these uses as proposed and have parking does not appear to be workable on this site. I am of the opinion that this current proposal is over development for the site and I would prefer to see a reduced use proposed with a better internal layout.</p> <p>It may be that an amended access/egress arrangement and the relocation of some of the proposed uses would work but I would require an amended plan showing this before being able to support the proposal.</p>		
Recommendation	<input checked="" type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input type="checkbox"/> Do not object, subject to conditions <input type="checkbox"/> Further information required
Reason for Refusal	The overdevelopment/proposed layout of the site will result in inadequate parking and possible conflict with the traffic on the adjacent A72 at the access.		
Recommended Informatives			

Signed : **Keith Patterson**

**CONSULTATION RESPONSE TO
PLANNING OR RELATED APPLICATION**

Comments provided by	Roads Planning Service		Contact e-mail/number:	
Officer Name and Post:	Alan Scott Senior Roads Planning Officer		ascott@scotborders.gov.uk 01835 826640	
Date of reply	13 th November 2018		Consultee reference:	
Planning Application Reference	18/00723/FUL		Case Officer: Carlos Clarke	
Applicant	D. Howard			
Agent	N/A			
Proposed Development	Change of use to joiners workshop and showroom, caravan repairs and sales, car valet, retail and siting of catering unit.			
Site Location				
<i>The following observations represent the comments of the consultee on the submitted application as they relate to the area of expertise of that consultee. A decision on the application can only be made after consideration of all relevant information, consultations and material considerations.</i>				
Background and Site description				
Key Issues (Bullet points)				
Assessment	My previous response regarding this proposal indicated my concerns regarding possible parking issues and conflict with vehicles using the adjacent A72. Having met the applicant on site, I am satisfied that the principle of a sign at the entrance will ease these concerns. That said, the sign will have to be clearer than indicated. The proposed sign is not clear enough as to which direction visitors for each facility have to go. The arrows and the proposed "use" will have to be clearer with "Car Parking and Sales" more aligned with the left arrow. I am satisfied that vehicles associated with the joiners and caravan elements of the proposal will use the westerly access and there is room thereafter to accommodate them. I would prefer to see an amended sign, however I am happy for this to be conditioned as per below.			
Recommendation	<input type="checkbox"/> Object	<input type="checkbox"/> Do not object	<input checked="" type="checkbox"/> Do not object, subject to conditions	<input type="checkbox"/> Further information required
Recommended Conditions	The direction sign to be approved and erected on site within two weeks of the date of this approval unless otherwise agreed in writing with the Council. Reason: To ensure that vehicles associated with the development hereby approved do not interfere with the free flow of traffic on the adjacent A72.			
Recommended Informatives				

Signed: DJI

From:Clarke, Carlos
Sent:Fri, 16 Nov 2018 15:14:37 +0000
To:Clarke, Carlos
Subject:FW: planning application, 18/00723/FUL Bruce Motors Redburn Garage

From: Stewart, Gareth
Sent: 16 November 2018 15:05
To: Clarke, Carlos
Subject: RE: planning application, 18/00723/FUL Bruce Motors Redburn Garage

Carlos,

I would recommend the standard condition is retained.

The site historically operated as a filling station and vehicle repair garage. Both these activities have the potential to be contaminative. I am not aware of any information relating to the site which informs the decommissioning of the site or the characterisation of any residual contamination which may be present.

The proposals include for a change of use of the site and the introduction of multiple individual enterprises. This change of use triggers a requirement for the developer to demonstrate the land is suitable or can be made suitable for its proposed use (PAN 33).

The redevelopment of this site may present risks to human health including occupants of buildings and may present risks to other statutory receptors including to the water environment. As a result of increased drainage demands the car washing proposals may also exacerbate risks to the water environment.

Should the development not be conditioned at this time there are concerns that future alternation or extension to the development may occur. It is anticipated if this was the case it would be considered disproportionate to address potential risks at that time.

Please contact me should you wish to discuss the above further,

Kind Regards

Gareth Stewart

Contaminated Land Officer

Regulatory Services

Scottish Borders Council

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